



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
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*651-266-8585*

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Tuesday, March 4, 2014

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1 [RLH TA 14-120](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A2, Assessment No. 148519 at 1248 ARCADE STREET.

**Sponsors:** Bostrom

*Referred back by Council on February 19, 2014.*

*3/4/14 - No show; approve the assessment.*

*3/18/14 - Property owner appeared; minutes below.*

*RE: 1248 Arcade Street (Restaurant/Bar-B-Commercial)*

*Mario Barrios, Morelos Bakery LLC, owner, appeared. (Spanish Translator: Laura)*

*Inspector Paula Seeley:*

*- Summary Abatement Order to cut tall grass and weeds on the blvd, the sidewalk and the south side of building along the alley issued Oct 17, 2013; compliance Oct 22; re-checked Oct 25*

*- work done Oct 28, 2013 for a cost of \$160 + \$160 service charge = \$320*

*- have photos; no VIDEO*

*- no returned mail*

*- Ms. Seeley inspected this; her notes: Oct 23, 2013, she called Morelos Bakery and told them to cut weed by Fri or a Work Order will be sent*

*Mr. Barrios:*

*- that is all correct; he was gone for 6 months and the people in charge didn't know about any of this*

*- his wife returned first and told him that there was a problem with the yard*

*- then, he got the card and he didn't know what to do*

*Ms. Moermond:*

*- whomever he left in charge didn't take care of business; the city did the work*

*Mr. Barrios:*

*- they were just in charge of the business; they weren't opening the mail*

*- his wife opened the mail when she returned*

*- now, he's back at the bakery every day*

- his wife, Jessica, speaks English

Ms. Seeley:

- Feb 28, 2014: they had to send a snow order and recently, Feb 26, 2014, they received a complaint that there were several abandoned vehicles in the parking lot of the bakery; Mr. Barrios took care of them

- Mar 13, 2014: got another complaint that the sidewalks weren't cleared full width and there was no attempt to eliminate the water and ice

- she went into the store a few times to talk to someone about these complaints but no one there spoke English and she doesn't speak Spanish

Mr. Barrios:

- it's all cleared up now

Ms. Moermond:

- all notices go to the bakery but we need a person's name, address and phone number so we know who to contact

- we need someone who speaks English

- Mr. Barrios needs to fill out a Fire Certificate of Occupancy form with his wife's name on it or other people's names with phone numbers

- the previous owner's names is listed in the file

Ms. Seeley:

- complaints are coming in about abandoned vehicles in the parking lot; weed along the blvd in the summer; debris by the dumpster

Mr. Barrios:

- they were having a problem with the car dealer across the street parking cars in the bakery's lot while he was gone (he did not have permission to park cars there)

Ms. Moermond:

- asked Ms. Seeley to check out the car dealer across the street to check out the licensing information and give Kris Schweinler a call

- if someone is parking illegally in his lot, he can call a Parking Enforcement Officer and asked for a manager's tow (free), 651/291-1111; show the officer the city's Orders and they will write a criminal citation to whomever the car belongs to

- he can erect signs: NO ILLEGAL PARKING / PARKING FOR CUSTOMERS ONLY

- will recommend approval of this assessment

**Referred to the City Council due back on 3/19/2014**

**2**      [RLH TA 14-117](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 1204 ASHLAND AVENUE. (Amended Project No. J1402E1, Assessment No. 148307)

**Sponsors:**      Thao

To be laid over to May 6 Legislative Hearing and May 21, 2014 City Council Public Hearing. (Owner needs to find agencies who can help with the exterior painting of the house.)

RE: 1204 Ashland Avenue (Single family)

Ayana Shakir, owner, appeared.

Inspector Ed Smith:

- Excessive Consumption cost \$120 + \$35 service charge = \$155

- Correction Notice Oct 25, 2012; compliance Nov 25, 2013; re-inspection Sep 9, 2013; the work had not been done
- Orders issued for failure to scrape and paint exterior
- sent to Nzinga Ayana Shakir/Sybil B Shakir, 1204 Ashland Ave, St. Paul
- no returned mail
- file is still open

Ms. Shakir:

- this is her parents' home; they are seniors
- she was living in Saudi Arabia, teaching there; she came back Sep 2, 2013
- her father was diagnosed with brain cancer in Aug 2013
- she didn't know anything about this in 2012
- the inspector gave them leeway until May because of the circumstances
- he said that the power had been cut off which triggered the inspection after which, her parents put a new roof on the house but every month it seems like there's something else and to them, it feels very harassing
- her father is very ill and lives in a nursing home
- all the Notices that came to the house were really ignored because of her father's illness
- she explained all of that to Inspector Smith on the phone
- they are not in a position to be able to paint the house unless there are some groups that may be able to assist them
- they have lived in this house for 35 years
- because of her father's illness, painting the house does not take precedent; doesn't know how much longer he will live
- her mom still lives in the house and she is there currently with her children
- without a man around the house, getting the repairs and painting done is difficult
- now, they keep getting fined because the inspector keeps coming out every month
- her parents income is very modest and before they knew her father was ill, his thinking was not very logical and somehow, Xcel didn't get paid in time; now, they are on an assistance program and the power has not been shut off since
- all these extra charges are oppressive to her and her family

Ms. Moermond:

- there are some programs that may be able to help

Inspector Matt Dornfeld:

- it looks as though 5 Excessive Consumption charges have been issued; there's still the Oct 10th one coming forward

Mr. Smith:

- he is the inspector on this property
- they received notification from Xcel about the gas shut off so, he went to do the inspection and found other code violations: peeling paint on the exterior and a deteriorated roof

Ms. Moermond:

- photos show that the exterior is in pretty rough shape
- services: Brush with Kindness, service that gets houses painted and some repairs done; they are affiliated with Twin Cities Habitat for Humanity (Mr. Dornfeld provided Ms. Shakir with their phone number)
- she would be willing to grant an extension of time so that this work can be finished
- it's also possible for her to recommend deferring the taxes to point of sale (5 years), if she and her mom decide to sell the property; or she could divide the assessment over a number of years
- she is hoping that there will be follow through with other helping agencies to get this

done so that she can recommend deleting this assessment and also the next one  
- realistically, she would be looking at a deadline sometime in the summer of 2014

Mr. Smith:

- noted that there is also some evidence of rotting because the wood has been exposed, which also needs to be taken care of; window sills, especially  
- if there are minor repairs needed, Brush with Kindness may be able to take care of that, too; however, if it's more than that, they may not be able to do it

Ms. Moermond:

- let's follow up the beginning of May (May 6, 2014 LH)  
- Mr. Smith will be your best city staff resource: 651/266-1917

**Referred to the City Council due back on 4/2/2014**

**3**      [RLH TA 14-130](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 310 EDMUND AVENUE. (To be laid over to September 9 Legislative Hearing and September 17, 2014 City Council Public Hearing)

**Sponsors:**      Thao

*To be laid over to September 9, 2014 Legislative Hearing and September 17, 2014 City Council Public Hearing. If owner doesn't have any more violations, Legislative Hearing Officer will recommend deleting the assessment.*

RE: 310 Edmund Avenue (Single Family)

Demetri Dillard, owner, appeared.

Inspector Ed Smith:

- Summary Abatement Order issued for removing snow and ice from public sidewalk  
- sent Dec 13, 2013; compliance Dec 16; re-checked Dec 19; Work Order sent  
- work done Dec 23, 2013  
- cost: \$160 + \$160 service charge = \$320  
- sent to Demetri Dillard, 310 Edmund Ave  
- photos  
- gold card returned by Demetri Dillard

Mr. Dillard:

- he got the letter and he did clean it; then, there was another snow fall and a re-freeze - he didn't get that done in time

VIDEO

Mr. Smith:

- appears that there are no other snow & ice complaints but there are a lot of tall grass & weeds complaints prior to Mr. Dillard's ownership (Oct 2013)  
- no history here

Ms. Moermond:

- the VIDEO and pictures look like tramped down snow and on the edges it doesn't look like it was shoveled at all  
- we have re-freeze in very cold weather  
- wants to help Mr. Dillard out but wants to get something in return  
- she will ask the City Council to continue this for 6 months; if there are no problems within those 6 months, she will recommend that this assessment be deleted; if there

*are problems within those 6 months, she will recommend this assessment be approved*

**Referred to the City Council due back on 4/16/2014**

- 4 [RLH TA 14-131](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 511 EDMUND AVENUE.

**Sponsors:** Thao

*No show; approve the assessment.*

**Referred to the City Council due back on 4/16/2014**

- 5 [RLH TA 14-132](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 370 MARYLAND AVENUE WEST.

**Sponsors:** Brendmoen

*No show; approve the assessment.*

**Referred to the City Council due back on 4/16/2014**

- 6 [RLH TA 14-119](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 643 NORTH STREET.

**Sponsors:** Lantry

*Delete the assessment because there was no name was on trash container; could not verify the pick up day.*

**Referred to the City Council due back on 4/2/2014**

- 7 [RLH TA 14-136](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 395 OXFORD STREET NORTH.

**Sponsors:** Thao

*Approve the assessment and spread the payments over 5 years.*

*395 Oxford Street North (Single Family)*

*Mark Cooper, son of owner, Jeanne Cooper, appeared.*

*Mr. Cooper:*

- his mom is in a nursing home*
- they had turned off the electricity and water, so, it was Condemned*
- he had not been aware that the electric bill had gone as high as it was; there was also a problem with the meter box and it had to be replaced*
- he does remodeling in and out of town; he was gone 8-9 months; these letters had been coming but he wasn't aware of them*
- his brother, who has a bum leg, is unable to do the shoveling*
- now, he wants to get everything back in order for his mom; and he will be around*

*here for the next year*

- *he just wants time to get things done and get her back in her home*
- *he doesn't disagree with the assessments*

*Inspector Matt Dornfeld, Vacant Buildings:*

- *this is a Category 2 Vacant Building - opened Jun 11, 2012 per Condemnation; basic facilities were shut off*
- *other code violations were documented*
- *today, Mr. Cooper is here to appeal a special tax assessment for removing rubbish, appliances, household items and brush from the yard; and snow and ice removal*
- *cost: \$476 + \$280 service charge = \$756*
- *Orders dated Dec 2 and Dec 9, 2013*
- *Compliance dates: Dec 6 and Dec 11, 2013*
- *re-checked Dec 9 and Dec 12, 2013*
- *work done Dec 12 for clean-up; and Dec 16 for removing snow/ice from sidewalk*
- *sent to Jeanne V Cooper, 445 Galtier St*
- *no returned mail*

*Mr. Cooper:*

- *if those Notices would have come to me, it would have been different; they're going to mom at the nursing home and with alzheimers, you don't remember*
- *he had to go through her mail in order to find out about this*
- *he will be going by the property very frequently*
- *in spring, he will trim all the bushes*
- *people had been breaking in the house, so, he screwed all the doors and windows tight*

*Ms. Moermond:*

- *provided Mr. Cooper with a Vacant Building Registration Form so that he can put his name and address on the form*
- *the VB fee (\$1440) will be due in Sep 2014 (for 2014-2015)*
- *the 2012-2013 VB fee and the 2013-2014 VB fee were assessed*
- *moving forward, Mr. Cooper will need to have a Code Compliance Inspection (\$474) on the house and do the repairs on the list; the repairs need to be completed before anyone can move back into the house*
- *we are not dealing with a VB fee today; only the clean-up and snow removal*
- *will recommend approval of these assessments today and divide the payments over 5 years*

**Referred to the City Council due back on 4/16/2014**

- 8**      [RLH TA 14-133](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 832 SHERBURNE AVENUE.

**Sponsors:**      Thao

*No show; approve the assessment.*

**Referred to the City Council due back on 4/16/2014**

- 9**      [RLH TA 14-134](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 1271 SHERBURNE AVENUE.

**Sponsors:**      Stark

*No show; approve the assessment.*

**Referred to the City Council due back on 4/16/2014**

- 10     [RLH TA 14-135](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406G, Assessment No. 148705 at 1271 SHERBURNE AVENUE.

**Sponsors:**     Stark

*No show; approve the assessment.*

**Referred to the City Council due back on 4/16/2014**

- 11     [RLH TA 14-118](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 315 SIDNEY STREET EAST.

**Sponsors:**     Thune

*No show; approve the assessment.*

**Referred to the City Council due back on 4/16/2014**

- 12     [RLH TA 14-116](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 688 SIXTH STREET EAST.

**Sponsors:**     Lantry

*No show; approve the assessment.*

**Referred to the City Council due back on 4/2/2014**

- 13     [RLH TA 14-124](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 70 STEVENS STREET EAST.

**Sponsors:**     Thune

*Dennis Isaason called obo Don Szymanski stating he missed hearing; rescheduled to 3/18/14.*

**Laid Over to the Legislative Hearings due back on 3/18/2014**

- 14     [RLH TA 14-137](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 507 VIRGINIA STREET.

**Sponsors:**     Thao

*Approve the assessment.*

*RE: 507 Virginia Street (Duplex)*

*Jeffrey Weisser, owner, appeared. Brett Tiggelaar also appeared.*

*Inspector Ed Smith:*

- *Summary Abatement Order issued Dec 12, 2013 for snow/ice on public sidewalk*
- *compliance date Dec 16; re-checked Dec 19; Work Order sent*
- *work done Dec 23, 2013 for a cost of \$160 + \$160 service charge = \$320*
- *sent to Jeffrey Weisser, 507 Virginia Street, St. Paul*
- *no returned mail*

*Ms. Moermond:*

- *I have a note saying that there are on-going complaints at the property*

*Mr. Weisser:*

- *he has been sick and also he has had an emergency in the family and needed to go out-of-town*
- *his roommate was supposed to be taking care of the shoveling; he assumed that was done*
- *no one called him, including his neighbors*
- *the Notice that was received said nothing about snow removal*

*Ms. Moermond:*

- *a copy of that Notice in front of her says that the walk wasn't shoveled and that Mr. Weisser needs to do it within 48 hours or the city will send out a crew to do it and charge him for it*

VIDEO

*Mr. Weisser:*

- *"With that, I have nothing to say; I had other information."*

*Ms. Moermond:*

- *will recommend approving this assessment*

**Referred to the City Council due back on 4/16/2014**

**15**     [RLH TA 14-141](#)

    Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 456-458 CHARLES AVENUE.

**Sponsors:**        Thao

*STAFF REPORT: Legislative Hearing Officer researched when the contract for deed was recorded, which was February 10, 2014. Mr Lewis (the purchaser) indicated he purchased the property December 1, 2013. The City issued orders to Mr. Petersen (the reported seller) on both December 3rd and 5th for clean-up work. The work was not done, and the cost of the clean-up is the proposed assessment. In situations such as these, Legislative Hearing staff confirm the date the contract for deed was recorded with the County. I learned today (3/13/14) that the deed was recorded on February 10, 2014 and also that the County is only 12 days behind in this area, so it is improbable there was previous recording to the contract. Therefore, the order was issued to Mr. Petersen during his ownership and notification was valid. I recommend approval of the assessment. MCM 3/13/14.*

*RE: 456-458 Charles Avenue (Duplex)*

*Darrell Lewis, D E Lewis Properties LLC, owner, appeared.*



Ms. Mai Vang:

- the Work Order was done Dec 12, 2013

Inspector Matt Dornfeld:

- Dec 5, 2013: we had a chair, couch, love seat and cushions on the ground, south side of garage ; Inspector Rick Gavin issued a Summary Abatement Order

- sent to Allan K. Peterson, 2515 White Bear Ave, Ste 821, Maplewood, MN; compliance date Dec 12, 2014

- Mr. Gavin documented Dec 17, 2013: the furniture now abated

Mr. Lewis:

- cost: \$326 + \$120 admin fee + \$35 Real Estate admin fee + \$5 Attorney fee = \$486  
- purchased property Contract for Deed Dec 1, 2013 and it is registered with Ramsey County

- they have a few properties and have been having an issue with the slow going through the Title Company

- he was here 3-4 weeks ago and Ms. Moermond instructed him to get everything switched over, which he did; he called in to see if everything was switched over and it all hadn't been done yet (from Peterson's name to his at the county)

- he just started to receive Notices (got one Fri)

- Mr. Peterson goes to his P.O. Box maybe once a week; then, he mails/emails it to Mr. Lewis, which takes some time

- he specifically remembers this one; he actually went out and saw the items back there so, the next day he went to get his trailer to pick it up but it was all gone by then

- he specifically remembers this one; he actually went out and saw the items back there so, the next day he went to get his trailer to pick it up but it was all gone by then

Mr. Dornfeld:

- looks like there were doubled up inspection enforcement: both Rick Gavin and Joel Essling had issued Summary Abatements for this particular violation

- SA by Mr. Gavin was issued Dec 5, 2013 with a compliance date of Dec 12, 2013 (file under 458)

- SA by Mr. Essling was issued Dec 3, 2013 with a compliance date of Dec 11, 2013 (file under 456)

- both Summary Abatements were sent to Allan K. Peterson, 2515 White Bear Ave, Ste 121, Maplewood MN

- a Work Order was issued by Mr. Essling on Dec 12 to remove it

- we have VIDEO

VIDEO

Ms. Moermond:

- the Contract for Deed wasn't filed in a timely fashion; she will call Ramsey County to ask when they got it

- it's the owner's responsibility to make sure that it's filed with the county

- she will have an answer for Mr. Lewis after she receives that information

- the Notice went to Mr. Peterson; Mr. Lewis bought it a few days earlier

- the Title Company was delayed in getting that information to the county; in that case, she would be inclined to have the assessment go to the taxes and have Mr. Lewis approach Mr. Peterson about it

**Laid Over to the Legislative Hearings due back on 3/18/2014**

17 [RLH TA 14-140](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 331 PASCAL STREET NORTH.

**Sponsors:** Thao

*Laid over to watch video. (Early on Mar 18, 2014 LH Agenda)*

*RE: 331 Pascal Street North (Single Family)*

*Robert Richie, son of owner, George Richie, appeared.*

*Mr. Richie:*

- his father is 92 years old and stubborn; it's a challenge to make the right suggestions to make him think that it's his idea*
- they spent \$6,000 removing a ton of belongings; made at least 7 trips to the dump*
- the water had been shut-off so, there was an inspection; that inspector told us to let him know if this happened*
- thinks this is about some left-over garbage bags*

*Inspector Matt Dornfeld:*

- looks like Joel Essling handled this file on Nov 22, 2013*
- he documented: mattress, household items, refuse on the west side of the garage*
- he issued a Summary Abatement Nov 22, 2013 and took photos*
- he notes Dec 25, 2013: received a phone call from property owner George Richie; Mr. Richie stated that the tenant just moved out and he is removing several loads; Mr. Essling gave an extension and noted 12-16-13 but that doesn't make sense because he made a notation on Christmas*
- he notes Dec 17, 2013: mattress remains and a lot of other refuse; Work Order sent; photos*
- the dates are confusing*

*Ms. Moermond:*

- so, they did get a pretty lengthy extension and the crew wasn't out the until after the extension*

*Mr. Dornfeld:*

- there's an error in the reporting but he doesn't know exactly what it is*
- they did issue a SA; photographed the violations at the time; there was contact with the property owner-not sure of the date; another photo taken when the Work Order was issued; the violation sat there from Nov 25 - Dec 18, 2013*
- he is confused as to when the conversation took place with the property owner and Mr. Essling and what the extension was*

*Mr. Richie:*

- his dad lives at 2247 Fifth Street East and goes to CA in the winter*
- the mattress was there but the city didn't pick that up; he took that and everything else*
- they didn't have a truck there that day and took most everything but didn't take those few garbage bags*
- he can't find the paperwork on it but knows the inspector gave his dad plenty of time*

*Ms. Moermond:*

- this clean-up was done Dec 18, 2013*
  - staff does not have the photo today*
  - she needs to see the VIDEO*
  - will LAY this OVER to Mar 18, 2014 LH*
  - she will recommend approval of the assessment unless the VIDEO show something different*
- Laid over to watch video.*

**Laid Over to the Legislative Hearings due back on 3/18/2014**

Project No. J1406A, Assessment No. 148505 at 290 STINSON STREET. (Public hearing to be continued to May 21, 2014 to go with File RLH TA 14-176)

Sponsors: Brendmoen

*Laid over to watch videos and get information from Joel Essling. NOTE: Another pending assessment also scheduled for April 1 LH.*

*RE: 290 Stinson Street (Single Family)*

*Mohamed Sewidan appeared with wife, Piper Van Ness) and child.*

*Mr. Sewidan:*

*- he wants to talk about all the assessments for this property*

*Ms. Moermond:*

*- this is a clean-up assessment*

*- staff is not ready to talk about all of the assessments; we didn't know you were coming*

*Ms. Van Ness:*

*- she sent in the Gold Card*

*Mr. Sewidan:*

*- every single month from Nov until now, he has been receiving some weird citation for whatever on this rental property (he has issues with the woman who rents it)*

*- he feels that he's being targeted*

*- in this case, tenant said that someone dumped mattresses in the back; they weren't hers*

*- tenant said she did her best on snow removal; everyone has had a very hard time this years trying to keep the sidewalk clear*

*- he can't make any money on this property if the city keeps on citing him (this is \$400 every month); if this keeps up, it will go into foreclosure and then vacant*

*- it's obvious discrimination; he'll take it to court; he's fed up*

*Ms. Moermond:*

*- explained that if a complaint comes in, the inspector must go out and investigate the complaint; if the complaint is founded and he writes a Correction Notice, it's appealable*

*- you don't need to wait until it becomes a tax assessment to file an appeal*

*Inspector Matt Dornfeld:*

*- is following Joel Essling's timeline from the record*

*- Nov 13, 2013 - this complaint came in stating: appliances, furniture, refuse, garbage in rear of yard and rear near alley; Summary Abatement was issued Nov 13; photos were taken; there are several re-checks: Nov 20, Nov 25, Dec 3, Dec 6, Dec 17, Dec 23, 2013; Jan 3, Jan 7, Jan 13, 2014 - we've had multiple complaints and multiple violations; some Work Orders were sent*

*- read Inspector Essling's documentation*

*- Nov 20, 2013: appliance, furniture and refuse remain in rear yard and rear near alley; one Republic container rear at alley; per Republic - service has been cancelled for nonpayment; issued Work Order and Summary Abatement Order for garbage hauler service*

*- Nov 25, 2013: alley area was cleaned by PED Parks crew; no contact from property owner; 2 Waste Management containers on blvd; per Waste Management - account current but not name of VanEs, property owner, with Tue pick-up; today is*

Mon; Correction Notice sent

- Dec 3, 2013: phone call from property owner, Piper, 651-500-5203 stating they have service-Waste Management and containers are in front; was advised that they can't be stored on blvd; PO states she will talk to tenants

- Dec 6, 2013: 2 Waste Management containers on blvd again; Correction Notice sent; snow/ice letter for sidewalk was also sent

- Dec 17, 2013: 2 mattresses and a mattress spring near rear alley; Summary Abatement sent; photos taken

- Dec 23, 2013: mattresses remain near alley; Work Order sent to remove mattresses; photos taken

- Jan 3, 2014: mattresses were removed by Parks crew; re-issuing snow letter for sidewalk

- Jan 7, 2014: refuse near alley; Summary Abatement sent; photos taken

- Jan 13, 2014: household items and refuse still remain near alley; Work Order sent; photos taken

Mr. Sewidan:

- so, if that's not targeting... I don't know what makes this person... has nothing else but my house; he visits every week to do something; I don't know if it's me or the people that live there or somebody ----ssed him off; I've never seen this happen; do you pay this guy to come and visit me every week and check on the house?

Ms. Moermond:

- there's been problems here so, when the inspector goes out, he notes the problems and issues Orders on them

- the city has phone calls coming in and the inspector doing re-visits because of previous problems

- she doesn't have the complete file on this property in front of her; only what was read into the record

- it's not clear to her what the assessment is; she knows it's a clean-up on an assessment roll for Dec 2013

- it's not clear to her because Mr. Sewidan said Dec 30 but staff is saying that the crew showed up in Jan 2014

- she wishes she had better information

Mr. Dornfeld:

- many of these complaints are being phone into DSI; and these are even anonymous

- there have been multiple animal barking complaints phoned in; multiple sidewalk snow complaints phoned in; multiple garbage/refuse complaints phoned in

- half dozen phone calls from the neighborhood referencing this property

- this inspector is following up on these phone calls

Mr. Sewidan:

- tenant will be out at the end of this month

Ms. Moermond:

- perhaps, someone in the neighborhood is watching the property and phoning in complaints but when the inspector arrives, he does find problems; there are also problems at other properties; if a complaint gets called in, it's investigated

Mr. Dornfeld read some of the phone complaints:

- "dog in front yard barking very loudly for hours on end; this is a common occurrence that happens a lot, sometimes well into the night"

- "dog barking almost nonstop for hours; children can't sleep; this has been a re-occurring problem"

- "appliances, furniture, household items, refuse loose and scattered debris in rear yard - constant problem"

Mr. Sewidan:

- his neighbor is using his yard as a junk yard with old cars and stuff but no one is complaining about that - right next door - go look for yourself  
- he should be treated the same as me and is not being treated the same as me (Ms. Moermond: if you call in a problem with your next door neighbor, that will be investigated)

Ms. Van Ness:

- asked the tenant about the mattresses; she said they were not hers; they were dumped in the alley

Mr. Dornfeld:

- illegal dumping is an on-going problem throughout the city; it's not just Mr. Sewidan's property that gets dumped on illegally; it's a small epidemic

Ms. Van Ness:

- it sounds like someone doesn't like her and her family so, they keep calling

Ms. Moermond:

- so, you have a tenant who made a mess and bothers the neighbors a lot  
- she has no VIDEO here today; needs to see it  
- staff wasn't aware of your coming and no one knew that you wanted to talk about all of your assessment records  
- she noted that she can't go back and open files that have already been passed the City Council  
- she makes recommendations to the Council and they are the decision maker

Mr. Sewidan:

- based on a phone call made today, there is a clean-up and 2 snow removals that we still have not received  
- he wants a day when they can talk about all 3 of these assessments  
- at the Public Hearing, the City Council considers the matter

Ms. Moermond:

- this is a chronic problem with multiple complaints over time and these assessments come in as they come forward, one at a time  
- ask Mr. Essling to pull together the information he has on this, including the timing (Work Orders, Timing, so we know what's coming forward)  
- on Apr 1, 2014 LH, we'll talk about the forthcoming assessment and this one; CCPH will be May 21 for those  
- she will ask CC to send this one back into LH  
- there's one at CCPH Mar 19, 2014

**Laid Over to the Legislative Hearings due back on 4/1/2014**

### Special Tax Assessment Rolls

**19**     [RLH AR 14-9](#)     Ratifying the assessments for Demolition services during November 2013. (File No. J1408C, Assessment No. 142007)

**Sponsors:**     Lantry

**Referred to the City Council due back on 4/16/2014**

- 20 [RLH AR 14-10](#) Ratifying the assessment for Emergency Abatement service during September 2013 at 617 SIMS AVENUE. (File No. J1409C, Assessment No. 142008)  
*Sponsors:* Lantry  
*No show; approve the assessment.*  
**Referred to the City Council due back on 4/16/2014**
- 21 [RLH AR 14-11](#) Ratifying the assessments for Property Clean Up services from December 2 to 31, 2013. (File No. J1406A, Assessment No. 148505)  
*Sponsors:* Lantry  
**Referred to the City Council due back on 4/16/2014**
- 22 [RLH AR 14-12](#) Ratifying the assessments for Trash Hauling services from December 4 to 26, 2013. (File No. J1406G, Assessment No. 148705)  
*Sponsors:* Lantry  
**Referred to the City Council due back on 4/16/2014**

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 23 [RLH SAO 14-4](#) Appeal of Xiong Vue to a Summary Abatement Order at 1380 BURR STREET.  
*Sponsors:* Brendmoen  
*No show; deny the appeal.*  
*Got a call from Mr. Vue. He stated that he didn't show up for the hearing was because he had already spoken to Ms. Moermond that the house was in foreclosure and she stated that he didn't need to attend. Appeal withdrawn.*  
**Withdrawn**

#### Staff Reports

- 24 [SR 14-18](#) Appeal of Michael Hawes to a Vacant Building Registration Requirement at 405 JESSAMINE AVENUE EAST.  
*Sponsors:* Brendmoen  
*Will draft new Resolution to grant until April 1, 2014 for compliance; and, if in compliance, Legislative Hearing Officer will recommend reducing the Vacant Building fee to \$500. Owner will also be paying an additional Fire inspection fee when it comes forward. Will change back to Category 1 Vacant Building.*

*RE: 405 Jessamine Avenue East*

*Ms. Moermond:*

- *Mr. Hawes blew the deadline for getting things approved*
- *said that he had been confused about the changing of inspectors*

*Fire Inspector Leanna Shaff:*

- *history: the building was supposed to have some window repairs done from a previous Certificate of Occupancy inspection; they did not get done in time; there were missed appointments, etc., so the inspector decided to do another C of O inspection*
- *owner appealed the Vacant Building registration fee and he said that he'd have everything signed off by the deadline*
- *she, personally, spoke with him at the DSI counter and let him know that the prior inspector was no longer with DSI; the voice mail I had sent him told him to call either her or Inspector Thomas*
- *by the time Mr. Hawes did make an inspection appointment on Feb 5, 2014, he was clearly not done*
- *Feb 21, she spoke with Mr. Hawes telling him the deadline had come and gone; she asked him if the work was done; he hemmed and hawed and finally said that the occupancy separation was not completed so, she told him that he'd remain in the Vacant Building Program*

*Ms. Mai Vang:*

- *his warning letter went out on Feb 17, 2014*

*Ms. Moermond:*

- *Mr. Hawes says that the occupancy separation is complete now*
- *would like Ms. Shaff to go out there again; she thinks there should be a Vacant Building fee attached, though;*
- *will touch base with Councilmember Brendmoen to see if she is comfortable with the resolution saying that*
- *if Mr. Hawes gets the work done by Apr 1, 2014, she will recommend that his VB fee be reduced to \$500; he would also need to pay for the additional Fire C of O inspection; a Cat 1 VB*

**Received and Filed**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 25     [RLH FCO 14-36](#)     Appeal of Sabean Frank to a Fire Inspection Correction Notice at 263 CLIFF STREET.

**Sponsors:**     Thune

*Grant extension until June 1, 2014 for the bathroom issue; grant until June 1, 2014 for the garage ceiling on the condition that no combustible materials are stored there; grant until July 1, 2014 for exterior items; and the remaining items until March 14, 2014.*

*RE: 263 Cliff Street (Single Family)*

*Sabean Frank, appellant and Jeffrey Hall, owner, appeared.*

*Fire Inspector Leanna Shaff:*

- *Fire Certificate of Occupancy Inspection Correction Notice*
- *inspection conducted Feb 13, 2014 by Fire Inspector Brian Schmidt*
- *12 items on deficiency list*
- *not sure what's being appealed*
- *she has no problem allowing extra time on the exterior issues*

*Ms. Frank:*

- *looking for an extension on the roof and the other exterior issues that are weather related*
- *most of the other items have been completed*

*Mr. Hall:*

- *there are 4 items on the list that would be considered weather related: roof; exterior surfaces to paint; garage ceiling - there's a plaster ceiling with mesh*
- *also, the floor - impervious to water*
- *they would like to defer those repairs until a warmer climate is prevailing*

*Ms. Shaff:*

- *there are some tiles missing on the floor*
- *it's an attached garage and that ceiling is a fire-rated assembly; there needs to be a strong separation; the sheet rock got wet from the garage door opening; believes that the garage ceiling is more of a pressing issue and should be done sooner rather than later - the repair can be accomplished in different ways; one way is with heaters*

*Ms. Frank:*

- *needs to clean out the garage before she can repair the garage ceiling; is asking for an extension*
- *does adult day foster care and needs an extension for the kitchen floor*
- *is waiting for the bathroom to get done before she can do the kitchen floor*
- *is waiting for funding; the funding proposal takes 4-6 weeks to go through; asking for 2-3 months extension*
- *brought up documents to be scanned; a letter from the supervisor saying it takes 4-6 weeks to get through the funding proposal process*
- *it's not guaranteed but it is likely to go through*
- *does not park in the garage*
- *there is a lawn mower, freezer, bikes, etc, in the garage but no gas cans or other combustibles*

*Ms. Shaff:*

- *as long as there are no combustibles stored in the garage, waiting on the garage ceiling repair is not such a big worry*
- *inspector took photos but they are blurry of damaged siding and eaves*
- *south side of roof - shingles are curling*

*Mr. Hall:*

- *north side of garage some difficult to match hard shingles need replacing*

*Ms. Moermond:*

- *deadline for exterior work - Jul 1, 2014: for the roof, painting boards*
- *deadline for ceiling in garage - Jun 1, 2014; keep garage free of combustibles*
- *deadline for bathroom floor - Jun 1, 2014*
- *deadline for other items - Mar 14, 2014, re-inspection date at 10:30 am*

*Ms. Frank:*



- *the bathroom doesn't have a vent; it has a window*
- *the paint peels off every time she paints it*

*Ms. Shaff:*

- *code requires either a vent or a window*
- *either crack open a window or install a fan*

**Referred to the City Council due back on 3/19/2014**